

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**RICHARD BASCIANO, d/b/a 303 WEST
42nd STREET REALTY,**

Plaintiff,

v.

L&R AUTO PARKS, INC.;
ENTERPRISE PARKING COMPANY,
LLC, t/a FIVE STAR PARKING, a
California General Partnership; and FIVE
STAR PARKING, a California General
Partnership,

Defendants.

: CIVIL ACTION
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: NO. 2:11-cv-1250-JD
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ORDER

AND NOW, this 19th day of December, 2011, upon consideration of Defendants L and R Auto Parks, Inc.'s and Enterprise Parking Company LLC's Motion to Dismiss (Document No. 8, filed April 8, 2011), Plaintiff, Richard Basciano d/b/a 303 West 42nd Street Realty's, Response in Opposition to Defendants, L&R Auto Parks, Inc.'s and Enterprise Parking Company, LLC's Motion to Dismiss (Document No. 9, filed April 22, 2011), Defendants L and R Auto Parks, Inc.'s and Enterprise Parking Company LLC's Reply Brief in Support of Their Motion to Dismiss (Document No. 12, filed April 28, 2011), Plaintiff's Amended Response Pursuant to the Order of Court of July 18, 2011, in Opposition to Defendants, L&R Auto Parks, Inc.'s and Enterprise Parking Company, LLC's Motion to Dismiss (Document No. 17, filed October 28, 2011), and Defendants L and R Auto Parks, Inc.'s and Enterprise Parking Company LLC's Supplemental Reply Brief in Support of Their Motion to Dismiss for Lack of Jurisdiction

(Document No. 22, filed November 11, 2011), for the reasons set forth in the Memorandum dated December 19, 2011, **IT IS ORDERED** that the Motion to Dismiss is **DENIED**.

IT IS FURTHER ORDERED that the Court will conduct a telephone conference in due course to schedule further proceedings.

BY THE COURT:

/s/ Hon. Jan. E. DuBois

JAN E. DUBOIS, J.